

Jonathan R. Howden (Bar No. 97022)
Lynn R. Fiorentino (Bar No. 226691)
THELEN REID BROWN RAYSMAN & STEINER LLP
101 Second Street, Suite 1800
San Francisco, CA 94105
jhowden@thelen.com
Tel. 415.369.7157
Fax 415.369.8683

Attorneys for Material Witness
ZONG BIN LI

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In Re Material Witness Warrant

Case No.: 07 90552 MISC VRW (JCS)

**EMERGENCY APPLICATION FOR
TRAVEL ORDER FOR ZONG BIN LI**

Material Witness Zong Bin Li, by and through his counsel, Jonathan Howden, hereby applies to the Court for an order permitting him to travel outside of the Northern District of California. In support of this application, Mr. Li submits herewith a Declaration and his counsel proffers the following:

1. Mr. Li was the Able Bodied Seaman (AB1) of the M/V Cosco Busan which collided with the San Francisco Oakland Bay Bridge on November 7, 2007. Since that time, he has been detained in the District as a material witness as part of the government's criminal investigation. At all times, Mr. Li has fully cooperated with the government's investigation.

2. Mr. Li recently learned that his 88 year-old grandmother, who resides in PRC

1 China, Mr. Li's homeland, is suffering from heart-related problems and that her health is
2 deteriorating rapidly. Based on these exigent family circumstances, Mr. Li desperately desires to
3 spend approximately three weeks visiting his ailing grandmother and other family members,
4 through September 23, 2008.

5 3. Mr. Li proposes to depart the Northern District of California no later than
6 September 2, 2008, and will return no later than September 23, 2008. During that time, Mr. Li
7 will not travel anywhere other than the Northern District of California and PRC China.
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9 4. Since the date of the accident, Mr. Li has established ties with the community as set
10 forth below.

11 5. For approximately the past two months, Mr. Li has employed as a kitchen helper at
12 a reputable Japanese restaurant in San Francisco where he works approximately 40 hours per
13 week. Mr. Li also volunteers to work overtime when needed. Mr. Li very much enjoys his job
14 and plans to continue working at the restaurant indefinitely. Attached to this application is a letter
15 from the owner of the restaurant attesting to Li's good character, work ethic and intent to return to
16 this district.
17

18 6. Mr. Li has obtained a work permit and Social Security card.

19 7. Mr. Li pays state and federal taxes from the earnings he makes as set forth in
20 paragraph five above.

21 8. If he is granted permission to temporarily return to China to visit his ailing
22 grandmother, Mr. Li will stay with his family who resides in HeNan Province, PRC China. He
23 has provided to me the address of my family's residence as well as the following phone numbers
24 so that he may be contacted at any time while in China: his family's home telephone number, his
25 cellular telephone number, his brother's cellular telephone number, and his girlfriend's cellular
26 telephone number.
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28

1 9. During his brief visit to China, Mr. Li will call or leave a message every other day
2 on a telephone agreed upon by counsel for Mr. Li and the United States.

3 10. Mr. Li is prepared to post with the Clerk of the Court the equivalent of two months'
4 of his current salary from his position with the M/V Cosco Busan to the Court to hold as bond for
5 his promise to return to San Francisco to continue cooperating with the government's investigation
6 of this matter

7
8 11. Mr. Li's employer supports his brief visit home to China and has promised to allow
9 him to resume working as a kitchen helper upon his return to San Francisco. Mr. Li fully intends
10 to return to resume his job duties in San Francisco described in paragraph five following a brief
11 visit to his homeland of China as requested in this Application.

12 12. On behalf of Mr. Li, I hereby request an expedited hearing date of Monday,
13 August, 25, 2008, for this Application. I have informed the government and counsel for Fleet of
14 my client's intention. I also have left a message for counsel for Mr. Cota of my intent to submit
15 this application.

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17 13. I am informed that the government's attorneys, Assistant United States Attorneys,
18 Mr. Schmidt and Ms. Geis as well as Trial Attorney Mr. Udell are unavailable for a hearing on this
19 matter until the morning of Wednesday, August 27, 2008.

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1 Wherefore, counsel on behalf of Mr. Li requests that this Court enter the aforementioned
2 order.

3 Respectfully submitted.

4 Dated: August 21, 2008

5 THELEN REID BROWN RAYSMAN & STEINER LLP

6
7 By /s/ Jonathan Howden
8 Jonathan Howden, CA Bar No. 97022
9 Attorney for Material Witness
10 Zong Bin Li
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